

Attorney's Docket No.: 102364

**DECLARATION AND POWER OF ATTORNEY**

**REGULAR OR DESIGN APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BIOSENSORS FOR DETECTING MACROMOLECULES AND OTHER ANALYTES**,

the specification of which:

(check one)

is attached hereto

was filed on June 15, 2005 as Application Serial No. 10/539,107, and was amended on \_\_\_\_\_.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

<u>PCT/US04/41315</u> (Number)	<u>WO</u> (Country)	<u>12/11/04</u> (Day/Month/Year Filed)	<u>Priority Claimed</u>
			<input checked="" type="checkbox"/> [ x ] Yes <input type="checkbox"/> [ ] No
			<input type="checkbox"/> [ ] Yes <input checked="" type="checkbox"/> [ x ] No
			<input type="checkbox"/> [ ] Yes <input checked="" type="checkbox"/> [ x ] No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

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(Number)	(Country)	(Day/Month/Year Filed)
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**CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION  
UNDER 35 U.S.C. §119(e)(1)**

I hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any provisional application for patent or inventor's certificate listed below and have also identified below any provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

60/529,076 12/12/2003  
(Serial Number) (Day/Month/Year Filed)

**CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S) UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional,  
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal

Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
(Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)

### POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Brian B. Diekhoff (46,353); Cathy J. Futrowsky (37,172); Donald L. Schelling (53,558); Jerome R. Smith (35,684); John W. Kepler, III (30,397); Julie A. Scott (43,099); Kathryn J. Doty (40,593); Michael A Williamson (54,541); and Patrick C. Woolley (39,078).

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature T. Heyduk Date 09/20/05

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